



General Assembly

Substitute Bill No. 6340

January Session, 2011

* ____HB06340JUD__042911____ *

AN ACT CONCERNING THE PLACEMENT OF CHILDREN IN OUT-OF-STATE TREATMENT FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) Not later than July 1,
2 2013, the Commissioner of Children and Families shall return each
3 child and youth in the commissioner's care and custody who is located
4 in an out-of-state treatment facility to a family or facility in the state,
5 unless the commissioner determines that an out-of-state placement is
6 necessary because (1) the child or youth has a behavioral health
7 condition requiring specialized treatment that cannot be effectively
8 provided in the state, or (2) the out-of-state facility provides
9 geographic proximity to the child or youth's family that will facilitate
10 family involvement in the child or youth's treatment.

11 (b) On or after July 1, 2013, if the commissioner determines that a
12 child or youth in the commissioner's care and custody should be
13 placed in an out-of-state treatment facility, the commissioner shall
14 submit a motion for review of such out-of-state placement
15 determination to the superior court for juvenile matters. The court
16 shall determine whether such out-of-state placement is necessary
17 because (1) the child or youth has a behavioral health condition
18 requiring specialized treatment that cannot be effectively provided in
19 the state, or (2) the out-of-state facility provides geographic proximity

20 to the child or youth's family that will encourage and facilitate family
21 involvement in the child or youth's treatment. If the court determines
22 that such placement is necessary, the commissioner shall, every three
23 months, submit a report to the court regarding the child or youth's
24 status and the commissioner's plan to return the child to a family or
25 facility in the state.

26 Sec. 2. (*Effective from passage*) The Commissioner of Children and
27 Families shall, in consultation with the Court Support Services
28 Division of the Judicial Branch, in-state and out-of-state treatment
29 providers, child welfare and mental health advocates and family
30 consumers of mental health and child welfare services, develop a plan
31 to reallocate funds appropriated to the department and maximize
32 federal and private funding to increase appropriate in-state,
33 community-based and residential services for children transitioning
34 from out-of-state facilities. Not later than January 1, 2013, the
35 commissioner shall submit such plan, in accordance with section 11-4a
36 of the general statutes, to the joint standing committee of the General
37 Assembly having cognizance of matters relating to human services and
38 the select committee of the General Assembly having cognizance of
39 matters relating to children.

40 Sec. 3. Section 17a-62 of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective October 1, 2011*):

42 On or before [February 1, 2010] May 1, 2012, and annually
43 thereafter, the Commissioner of Children and Families shall submit a
44 report, in accordance with the provisions of section 11-4a, to the joint
45 standing committee of the General Assembly having cognizance of
46 matters relating to human services and the select committee of the
47 General Assembly having cognizance of matters relating to children.
48 The report shall include the following information, for the preceding
49 calendar year, for children and youth in the custody of the Department
50 of Children and Families: (1) The number, [and] age and race of such
51 children and youth who are living in a psychiatric hospital or out-of-
52 state residential treatment center, the average length of stay for such

53 children and youth, the number of children and youth who have
 54 overstayed their estimated placement time in such placements and an
 55 analysis of the reasons for the placements out of state and overstates;
 56 (2) the number, [and] age and race of such children and youth who are
 57 runaways or homeless, the number of days that each child or youth
 58 has been a runaway or homeless, and an analysis of the trends relating
 59 to runaways and homelessness; (3) the number, [and] age and race of
 60 children and youth who have a permanency plan of another planned
 61 permanency living arrangement and an analysis of the trends relating
 62 to permanency plans; and (4) the number, [and] age and race of
 63 children and youth who have refused services offered by the
 64 department and an analysis of the trends relating to participation in
 65 services. The commissioner shall conduct case and service reviews for
 66 each child in the groups described in subdivisions (1) to (4), inclusive,
 67 of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>October 1, 2011</i>	17a-62

KID *Joint Favorable C/R* HS
HS *Joint Favorable Subst.*
JUD *Joint Favorable*